

Form 3015-1 - Chapter 13 Plan

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

CHAPTER 13 PLAN-MODIFIED

In re:

Allen Jay Schlien  
Lori Dee Schlien

Dated: March 6, 2013

DEBTOR

Case No. 08-51026

In a joint case,  
debtor means debtors in this plan.

1. DEBTOR'S PAYMENTS TO THE TRUSTEE —

- As of the date of this plan, the debtor has paid the trustee \$ 16,742.00 .
- After the date of this plan, the debtor will pay the trustee \$ 200.00\* per Month for 8 months, beginning March 2013, for a total of \$ 1,780.00 . The minimum plan payment length is 36 or X 60 months from the date of the initial plan payment unless all allowed claims are paid in a shorter time.
- The debtor will also pay the trustee additional lump-sum payments of \$1,600.00 in April 2013, July 2013 and September 2013.
- The debtor will pay the trustee a total of \$ 23,322.00 [line 1(a) + line 1(b) + line 1(c)].

2. PAYMENTS BY TRUSTEE — The trustee will pay from available funds only creditors for which proof of claim have been filed. The trustee may collect a fee of up to 10% of plan payments, or \$ 2,332.20 , [line 1(d) x .10].

3. ADEQUATE PROTECTION PAYMENTS [§ 1326(a)(1)(C)] — The trustee will promptly pay from available funds adequate protection payments to creditors holding allowed claims secured by personal property, according to the following schedule, beginning in month one (1).

Creditor	Monthly Payment	Number of Months	Total Payments
<u>-NONE-</u>	\$		\$
a. TOTAL			\$ <u>0.00</u>

4. EXECUTORY CONTRACTS AND UNEXPIRED LEASES [§ 365] — The debtor assumes the following executory contracts or unexpired leases. Cure provisions, if any, are set forth in ¶ 7.

Creditor	Description of Property
<u>-NONE-</u>	

5. CLAIMS NOT IN DEFAULT — Payments on the following claims are current and the debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any.

Creditor	Description of Property
<u>-NONE-</u>	

6. HOME MORTGAGES IN DEFAULT [§ 1322(b)(5) and § 1322(e)] — The trustee will cure defaults on the following claims secured only by a security interest in real property that is the debtor's principal residence. The debtor will pay the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens. All following entries are estimates. The trustee will pay the actual amounts of default.

Creditor	Amount of Default	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. Great River FCU	\$ <u>1,178.00</u>	\$ <u>17.25</u>	<u>1</u>	<u>8</u>	\$ <u>*1,178.00</u>
b. Mortgage Service Center	\$ <u>9,592.31</u>	\$ <u>148.19</u>	<u>1</u>	<u>8</u>	\$ <u>**9,592.31</u>
c. TOTAL					\$ <u>10,770.31</u>

\*Paid Great River FCU: \$1,040.00

\*\*Paid Mortgage Service Center/PHH: \$8,406.84

7. **CLAIMS IN DEFAULT [§ 1322 (b)(3) and (5) and § 1322(e)]** — The trustee will cure defaults on the following claims as set forth below. The debtor will pay for the payments that come due after the date the petition was filed directly to the creditors. The creditors will retain liens, if any. All following entries are estimates, except for interest rate.

Creditor	Amount of Default	Int. rate (if applicable)	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
<b>-NONE-</b>	\$		\$		\$	
a. TOTAL					\$	<b>0.00</b>

8. **OTHER SECURED CLAIMS; SECURED CLAIM AMOUNT IN PLAN CONTROLS [§ 1325(a)(5)]** — The trustee will pay, on account of the following allowed secured claims, the amount set forth in the "Total Payments" column, below. The creditors will retain liens securing the allowed claims until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or the date of the debtor's discharge. NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. § 1327, AND CONFIRMATION OF THE PLAN IS A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM.

Creditor	Claim Amount	Secured Claim	Int. Rate	Beg. in Mo. #	(Monthly Pmnts) x	(No. of Pmnts) =	Pmnts on Account of Claim	(Adq. Prot. from ¶ 3) =	TOTAL PAYMENTS
<b>-NONE-</b>	\$	\$			\$		\$	\$	
a. TOTAL								\$	<b>0.00</b>

9. **PRIORITY CLAIMS** — The trustee will pay in full all claims entitled to priority under § 507, including the following. The amounts listed are estimates. The trustee will pay the amounts actually allowed.

Creditor	Estimated Claim	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
a. <b>Attorney Fees</b>	\$ <b>3,774.00</b>	\$		\$	<b>*3,309.50</b>
b. <b>Internal Revenue Service</b>	\$ <b>4,390.90</b>	\$ <b>Pro rata</b>	<b>Pro rata</b>	<b>Pro rata</b>	\$ <b>**4,390.90</b>
c. <b>MN Department of Revenue</b>	\$ <b>2,381.66</b>	\$ <b>Pro rata</b>	<b>Pro rata</b>	<b>Pro rata</b>	\$ <b>***2,381.66</b>
d. TOTAL					\$ <b>10,082.06</b>

\*Paid Attorney Fees: \$3,309.50

\*\*Paid Internal Revenue Service: \$1,748.63

\*\*\*Paid MN Department of Revenue: \$1,062.44

10. **SEPARATE CLASSES OF UNSECURED CREDITORS** — In addition to the class of unsecured creditors specified in ¶ 11, there shall be separate classes of non-priority unsecured creditors described as follows: **-NONE-**. The trustee will pay the allowed claims of the following creditors. All entries below are estimates.

Creditor	Interest Rate (if any)	Claim Amount	Monthly Payment	Beginning in Month #	Number of Payments	TOTAL PAYMENTS
<b>-NONE-</b>					\$	
a. TOTAL					\$	<b>0.00</b>

11. **TIMELY FILED UNSECURED CREDITORS** — The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under ¶ 2, 3, 6, 7, 8, 9 and 10 their pro rata share of approximately \$ **137.43** [line 1(d) minus lines 2, 6(c), 7(a), 8(a), 9(d) and 10(a)].

- The debtor estimates that the total unsecured claims held by creditors listed in ¶ 8 are \$ **0.00**.
- The debtor estimates that the debtor's total unsecured claims (excluding those in ¶ 8 and ¶ 10) are \$ **95,674.14**.
- Total estimated unsecured claims are \$ **95,674.14** [line 11(a) + line 11(b)].

12. **OTHER PROVISIONS** —

\*The plan is a step plan which will pay as follows: \$200.00 Monthly for 2 months, then \$230.00 Monthly for 6 months, then additional lump-sum payments of \$1,600 in April 2013, July 2013 and September 2013.

Title in any secured property will vest in the debtor upon payment of the secured portion of the creditor's claim and debtor's discharge. The debtor shall receive a discharge upon completion of the scheduled plan payments or upon payment of 100% of timely filed unsecured claims, whichever occurs first. Trustee shall not pay any untimely filed general unsecured creditors (excluding taxing authorities). Claims filed as secured but for which the plan makes no express provision shall be paid as unsecured claims as set forth in Paragraph 11 above.

A proof of claim may be filed by any entity that holds a claim against the debtor for taxes that become payable to a governmental unit while the case is pending limited to only the tax year for which the bankruptcy case was filed. The trustee shall pay such claim as submitted as funds are available pursuant to 11 U.S.C. Statute 1305.

13. SUMMARY OF PAYMENTS —

Trustee's Fee [Line 2]	\$	<u>2,332.20</u>
Home Mortgage Defaults [Line 6(c)]	\$	<u>10,770.31</u>
Claims in Default [Line 7(a)]	\$	<u>0.00</u>
Other Secured Claims [Line 8(a)]	\$	<u>0.00</u>
Priority Claims [Line 9(d)]	\$	<u>10,082.06</u>
Separate Classes [Line 10(a)]	\$	<u>0.00</u>
Unsecured Creditors [Line 11]	\$	<u>137.43</u>
<b>TOTAL [must equal Line 1(d)]</b>	<b>\$</b>	<b><u>23,322.00</u></b>

*Insert Name, Address, Telephone and License Number of Debtor's Attorney:*

**William P. Kain 143005**  
**Lund Kain Scott, PA**  
**13 7th Ave. S**  
**St. Cloud, MN 56301**  
**320-252-0330**  
**143005**

Signed /s/ Allen Jay Schlien  
**Allen Jay Schlien**  
DEBTOR

Signed /s/ Lori Dee Schlien  
**Lori Dee Schlien**  
DEBTOR (if joint case)

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

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In re:

BKY: 08-51026

Allen Jay Schlien  
Lori Dee Schlien

Debtors

Chapter 13

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the Notice of Hearing and Motion, Memorandum in Support of Debtors Motion for Post-Confirmation Modification and Modified Chapter 13 Plan was served upon all parties electronically:

U.S. Trustee  
1015 U.S. Courthouse  
300 S 4<sup>th</sup> St  
Minneapolis MN 55415

Kyle Carlson, Chapter 13 Trustee  
PO Box 519  
Barnesville MN 56514

And upon all parties in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail:

on March 6, 2013.

Dated: March 6, 2013

LUND KAIN & SCOTT, P.A.

/e/ WILLIAM P. KAIN-#143005  
13 7<sup>th</sup> Avenue South  
St. Cloud, MN 56301  
(320) 252-0330

AAA FINANCIAL SERVICES  
PO BOX 15137  
WILMINGTON DE 19886-5137

ACB AMERICAN  
PO BOX 2548  
CINCINNATI OH 45201-2548

ARROW FINANCIAL SERVICES  
5996 W TOUHY AVE  
NILES IL 60714

ASSET ACCEPTANCE  
PO BOX 2036  
WARREN MI 48090

AT & T  
PO BOX 8212  
AURORA IL 60572-8212

ATLANTIC CREDIT  
PO BOX 13386  
ROANOKE VA 24033

BANK OF AMERICA  
PO BOX 21846  
GREENSBORO NC 27420-1846

BANK OF AMERICA  
PO BOX 1390  
NORFOLK VA 23501

BANK OF AMERICA  
PO BOX 650260  
DALLAS TX 75265-0260

BANK OF AMERICA  
PO BOX 60073  
CITY OF INDUSTRY CA 91716-0073

CAPITAL MANAGEMENT SERVICES  
726 EXCHANGE STREET SUITE 700  
BUFFALO NY 14210

CAPITAL ONE BANK  
C/O TSYS DEBT MANAGEMENT  
PO BOX 5155  
NORCROSS GA 30091

CAREMARK  
PO BOX 94467  
PALATINE IL 60094-4467

CBSD  
PO BOX 6497  
SIOUX FALLS SD 57117

CITI CARDS  
PO BOX 688912  
DES MOINES IA 50368-8912

CITICARD/SHELL  
PO BOX 9151  
DES MOINES IA 50368-9151

CITIFINANCIAL  
PO BOX 22060  
TEMPE AZ 85285-2060

COLLECTION  
ATTN BANKRUPTCY  
PO BOX 9134  
NEEDHAM MA 02494

COLLECTION  
PO BOX 773  
NEEDHAM MA 02494

COLLECTION RESOURCES  
PO BOX 2270  
SAINT CLOUD MN 56302-2270

CRB  
5834 MONROE AVE STE A142  
SYLVANIA OH 43560

CREDIT ONE BANK  
PO BOX 60500  
CITY OF INDUSTRY CA 91716-0500

DIRECT TV  
PO BOX 78626  
PHOENIX AZ 85062-8626

DISCOVER FINANCIAL  
ATTN BANKRUPTCY DEPARTMENT  
PO BOX 3025  
NEW ALBANY OH 43054

ECOWATER  
906 1ST STREET S  
BOX 428  
WAITE PARK MN 56387

EYE SURGEONS & PHYSICIANS  
109 DOCTORS PARK  
SAINT CLOUD MN 56303

FIGI'S INC  
3200 S MAPLE AVE  
MARSHFIELD WI 54449

FIGIS INC  
PO BOX 8090  
MARSHFIELD WI 54449-8090

FOCUS MGMT  
1130 NORTHCHASE PKWY  
MARIETTA GA 30067

GE CARD HSBC  
DEPT 9600  
CAROL STREAM IL 60128-9600

GEMB  
C/O ASSET ACCEPTANCE  
PO BOX 2036  
WARREN MI 48090

GEMB SAMS CLUB  
PO BOX 981400  
EL PASO TX 79998

GOGGINS & LAVINTMAN  
PO BOX 21129  
SAINT PAUL MN 55121-0129

GREAT RIVER FCU  
1532 W SAINT GERMAIN ST  
SAINT CLOUD MN 56301

HEALTHPARTNERS  
1245 15TH STREET N  
SAINT CLOUD MN 56303-1802

HEARTLAND FOUR WHEEL DRIVE  
18 NE 17TH AVE  
SAINT CLOUD MN 56304

HERBERGERS  
PO BOX 5211  
CAROL STREAM IL 60197-5211

HSBC  
1441 SCHILLING PLACE  
SALINAS CA 93901

HSBC  
ATTN BANKRUPTCY  
PO BOX 5213  
CAROL STREAM IL 60197

HSBC/POLARIS  
90 CHRISTIANA RD  
NEW CASTLE DE 19720

INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY  
PO BOX 21126  
PHILADELPHIA PA 19114

JAMES ROBERTS  
5280 15TH AVE SE  
SAINT CLOUD MN 56304

JC PENNEY  
PO BOX 960001  
ORLANDO FL 32896-0001

JOHN LEE JACKSON  
1445 LANGHAN CREEK DR  
HOUSTON TX 77084

KOHL'S  
ATTN RECOVERY  
PO BOX 3120  
MILWAUKEE WI 53201

LAW OFFICE OF HAROLD SCHERR  
4237 SALISBURY RD #308  
JACKSONVILLE FL 32216

MESSERLI & KRAMER  
3033 CAMPUS DR STE 250  
MINNEAPOLIS MN 55441

MINSER CHIROPRACTIC  
203 PARK AVENUE S SUITE 101  
SAINT CLOUD MN 56301

MN DEPARTMENT OF REVENUE  
ATTN DENISE JONES  
PO BOX 64447  
SAINT PAUL MN 55164

MORTGAGE SERVICE CENTER  
4001 LEADENHALL RD  
MT LAUREL NJ 08054

NCO FINANCIAL SYSTEMS  
507 PRUDENTIAL RD  
HORSHAM PA 19044

NORTHERN STAR THERAPY  
251 COUNTY RD 120 SUITE A  
SAINT CLOUD MN 56303

NORTHSTAR LOCATION SERVICE  
4285 GENESEE STREET  
BUFFALO NY 14225-1943

PORTFOLIO RECVRY  
120 CORPORATE BLVD STE 1  
NORFOLK VA 23502

PREFERRED  
C/O COLLECTION CONSULTANTS  
6100 SAN FERNANDO RD  
GLENDALE CA 91201

REGIONAL DIAGNOSITC RADIOLOGY  
PO BOX 7366  
SAINT CLOUD MN 56302-7366

SEARS  
8725 W SAHARA AVE  
THE LAKES NV 89163

SEARS  
PO BOX 6564  
THE LAKES NV 88901-6564

SECURITY CREDIT LLC  
2612 JACKSON AVE W  
OXFORD MS 38655

SHAPIRO NORDMEYER & ZIELKE  
12550 WEST FRONTAGE RD STE 200  
BURNSVILLE MN 55337

ST CLOUD HOSPITAL  
1406 6TH AVE N  
SAINT CLOUD MN 56303

TEXACO/CITIBANK  
ATTN CENTRALIZED BANKRUPTCY  
PO BOX 20507  
KANSAS CITY MO 64195

UNITED RECOVERY SYSTEMS  
PO BOX 722929  
HOUSTON TX 77272-2929

WELLS FARGO FINANCIAL  
2752 DIVISION ST  
SAINT CLOUD MN 56301-3817

ZENITH ACQUISITION  
220 JOHN GLENN DR # 1  
AMHERST NY 14228

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

Allen Jay Schlien  
Lori Dee Schlien  
Debtor(s).

SIGNATURE DECLARATION

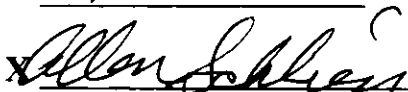
Case No. 08-51026

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☐ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☒ MODIFIED CHAPTER 13 PLAN  
☒ OTHER (Please describe: MOTION TO MODIFY POST-CONFIRMATION CHAPTER 13 PLAN )

I [We], the undersigned debtor(s) or authorized representative of the debtor, *make the following declarations under penalty of perjury:*

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

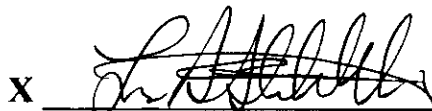
Date: 1-16-13



Signature of Debtor or Authorized Representative

Allen Jay Schlien

Printed Name of Debtor or Authorized Representative

X 

Signature of Joint Debtor

Lori Dee Schlien

Printed Name of Joint Debtor